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Security Council

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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 8 July 2016 from the Permanent Mission of Argentina to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Argentine Republic to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to transmit herewith, pursuant to paragraph 40 of resolution 2270 (2016), the report prepared by the Argentine Republic on the steps it has taken with a view to implementing effectively the provisions of resolutions 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016), further to the information provided in its previous notes verbales (S/AC.49/2006/30 and Add.1 (see annex)).

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Annex to the note verbale dated 8 July 2016 from the Permanent Mission of Argentina to the United Nations addressed to the Chair of the Committee

The Argentine Republic has the honour to inform the Security Council of the steps it has taken with a view to implementing effectively the provisions of resolutions 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016), in addition to the information provided in its previous notes verbales (S/AC.49/2006/30 and Add.1).

As a Member State of the United Nations, Argentina accepts and carries out the decisions adopted by the Security Council, whose resolutions are, pursuant to Article 25 of the Charter of the United Nations, binding.

Under article 31 of the Constitution, treaties concluded by the Argentine Republic constitute the supreme law of the land and, under article 75, paragraph 22, take precedence over domestic laws.

In this connection, Security Council provisions involving enforcement action are directly applicable in the territory of the Argentine Republic. However, in order for these measures to be enforceable, they must be promulgated by means of publication in the Official Gazette. This requirement is set out in article 3 of Act No. 24.080, which provides that international treaties and agreements creating obligations for natural persons and legal entities other than the State are binding only after their publication in the Official Gazette, in accordance with article 2 of the Civil Code, which provides that laws become binding only after their publication.

At the domestic level, and following the approval of Decree No. 1521 of 1 November 2004, a Decision by the Ministry of Foreign Affairs, International Trade and Worship is required for the promulgation of measures adopted by the Security Council. In this connection, the Decree stipulates that Security Council resolutions adopted under Chapter VII of the Charter of the United Nations which establish binding measures for Member States that do not involve the use of armed force but entail sanctions, as well as decisions regarding the amendment or termination of such sanctions, must be promulgated by the Ministry by means of a decision published in the Official Gazette. The Decree also states that when the Security Council or its subsidiary organs identify persons or entities subject to sanctions, the Ministry will promulgate and update the relevant lists by means of Decisions published in the Official Gazette.

Decree No. 1521 was amended by Decree No. 1867 of 16 October 2014 providing for the online publication of sanctions and lists of persons and entities subject to sanctions. This provision facilitates the incorporation of such lists in the domestic legal order through the official website of the Ministry and publication in the Official Gazette.

In this regard, copies of Ministerial Decision No. 409/2009[a] promulgating Security Council resolution 1874 (2009); of Ministerial Decision No. 682/2013 promulgating resolutions 2087 (2013) and 2094 (2013); and of Ministerial Decision No. 251/2013 promulgating resolution 2270 (2016) are attached.

[a] Relevant legislation is on file with the Secretariat in Spanish only, the original language of submission, and is available for consultation.